UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

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Robert Begordis,

Petitioner,

VS.

ORDER ADOPTING THE REPORT AND RECOMMENDATION

Commissioner of Corrections Joan Fabian,

Respondent.

Civ. No. 05-1678 (ADM/RLE)

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Based upon the Findings and Recommendation of United States Magistrate Judge Raymond
L. Erickson, and after an independent review of the files, records and proceedings in the above-titled matter, **IT IS ORDERED**:

- 1. That the Petitioner's application for a Writ of Habeas Corpus [Docket No. 1] is denied.
 - 2. That this action is summarily dismissed, but without prejudice.

LET JUDGMENT BE ENTERED ACCORDINGLY.

s/Ann D. Montgomery

Ann D. Montgomery, Judge United States District Court

DATED: September 7, 2005 At Minneapolis, Minnesota